## Form 8038-GC

(Rev. May 2009)

Department of the Treasury Internal Revenue Service

# Information Return for Small Tax-Exempt Government Bond Issues, Leases, and Installment Sales

▶ Under Internal Revenue Code section 149(e)

Caution: If the issue price of the issue \$100,000 or more, use Form 8038-G

OMB NO. 1545-0720

Part I Reporting Authority		Check box if Ar	Check box if Amended			
1. Issuer's name		2. Issuer's empl	2. Issuer's employer identification number			
Number and street (or P.O. Box if mail is not delivered to street address)				Room/Suite		
4. City, tow	6. City, town, or post office, state, and ZIP code 5. Rep			ort number (For IRS Use Only)		
6. Name an	d title of office or legal representative wh	om the IRS may call for more information	7. Telephone nu	mber of officer	or legal representative	
Part II	Description of Obligations	Check if reporting: a single iss	ue 🗵 <b>or</b> a consolidated return	n 🗆		
b. Issue (for ex)  9. Amou a. For le b. For le c. For le e For ba f. For ba g. For ba h. For B i. Used j. Repre k. Other  10. If the 11. If the	date (single issue) or calendary xample, 01/01/2009) (see instruint of the reported obligation(s) classes for Vehicles	on line 8a that is:  ions)  s of another tax-exempt obligation  a under section 265(b)(3)(B)(i)(III), alty in lieu of arbitrage rebate, che	mm/dd/yyyy format		<b>▶</b> □	
Sign Here	Under penalties of perjury, I declar belief, they are true, correct, and	are that I have examined this return and acc complete,	companying schedules and statements, and t	o the best of n	ny knowledge and	
	Issuer's authorized representative	Date	Date Type		e or print name and title	
Paid Preparer' Use Only	Preparer's signature	Dat		if D	Preparer's SSN or PTIN	
	•			EIN Phone no.	( )	
Conor	ol Instructions	an election was made to pay a per	palty in lieu of Proc 2002-48 200	<u> </u>	if it is determined that	

#### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

Form 8038-GC is used by issuers of tax-exempt government obligations to provide the IRS with the information required by section 149(e) and to monitor the requirements of sections 141 through 150.

#### Who Must File

Issuers of tax exempt governmental obligations with issue prices of less than \$100,000 must file Form 8038-GC.

Issuers of tax exempt governmental obligation with an issue price of \$100,000 or more must file Form 8038-G, Information Return for Tax-Exempt Governmental Obligations.

Filing a separate return for a single issue. Issuers have the option to file a separate Form 8038-GC for any tax-exempt governmental obligation with an issue price of less than \$100,000.

An issuer of a tax exempt bond used to finance construction expenditures must file a separate Form 8038-GC for each issue to give notice to the IRS that

an election was made to pay a penalty in lieu of arbitrage rebate (see the line 11 instructions). Filling a consolidated return for multiple issues. For all tax-exempt governmental obligations with issue prices of less than \$100,000 that are not reported on a separate Form 8038-GC, an issuer must file a consolidated information return including all such issues issued within the calendar year.

Thus, an issuer may file a separate Form 8038-GC for each of a number of small issues and report the remainder of small issues issued during the calendar year on one consolidated Form 8038-GC. However a separate Form 8038-GC must be filed to give the IRS notice of the election to pay a penalty in Ileu of arbitrage rebate.

### When To File

To file a separate return for a single issue, file Form 8038-GC on or before the 15<sup>th</sup> day of the second calendar month after the close of the calendar quarter in which the Issue is issued.

To file a consolidated return for multiple issues, file Form 8038-GC on or before February 15<sup>th</sup> of the calendar year following the year in which the issue is issued.

Late filing. An issuer may be granted an extension of time to file Form 8038-GC under Section 3 of Rev.

Proc. 2002-48, 2002-2 C.B. 531, if it is determined that the failure to file on time is not due to willful neglect. Type or print at the top of the form, "Requested for Rellef under Section 3 of Rev. Proc. 2002-48." Attach to the Form 8038-GC a letter briefly stating why the form is not submitted to the IRS on time. Also indicate whether the obligation in question is under examination by the IRS. Do not submit copies of any bond documents, leases, or installment sale documents. See Where To File below.

#### Where To File

Fite Form 8038-GC, and any attachments, with the Department of the Treasury, Internal Revenue Service Center, Ogden, UT 84201.

### Other Forms That May Be Required

For rebating arbitrage (or paying a penalty in lieu of arbitrage rebate) to the Federal Government, use Form 8038-T, Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate. For private activity bonds, use Form 8038, Information Return for Tax-Exempt Private Activity Bond Issues.

# Form 8038-GC Receipt Acknowledgement

If you wish to request an acknowledgement receipt of this return by the IRS you must provide the following: